

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of  
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

ROBERT AUERBACH REVOCABLE TRUST dtd  
6/29/05;

JOYCE C. AUERBACH REVOCABLE TRUST dtd  
6/29/05; and

JOYCE C. AUERBACH, individually, as Trustee of  
the Robert Auerbach Revocable Trust dtd 6/29/05, and  
as Trustee of the Joyce C. Auerbach Revocable Trust  
dtd 6/29/05, and as Personal Representative of the  
Estate of Robert Auerbach,

Defendants.

Adv. Pro. No. 10-04891 (SMB)

**STIPULATION AND ORDER AMENDING SCHEDULING ORDER**

**WHEREAS**, Irving H. Picard (the “Trustee”), as trustee for the liquidation of the

business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act and the substantively consolidated estate of Bernard L. Madoff, individually, and defendants (i) Robert Auerbach Revocable Trust dtd 6/29/05, (ii) Joyce C. Auerbach Revocable Trust dtd 6/29/05, and (iii) Joyce C. Auerbach, individually, as Trustee of the Robert Auerbach Revocable Trust, as Trustee of the Joyce C. Auerbach Revocable Trust, and as Personal Representative of the Estate of Robert Auerbach (collectively, "Defendants"), by and through their respective counsel, have reached a consensual resolution of the dispute that is the subject of this Adversary Proceeding, and have met and conferred regarding the following schedule.

**IT IS THEREFORE MUTUALLY AGREED AND STIPULATED**, by and between the Trustee and Defendants, that while the parties work consensually to fully resolve the dispute, the schedule shall be as follows:

1. The deadline for Trustee to file a Motion for Summary Judgment is extended to October 11, 2016.
2. The deadline for Defendants to respond to the Trustee's Motion for Summary Judgment is extended to November 22, 2016.
3. The deadline for the Trustee to reply to Defendants' response to Trustee's Motion for Summary Judgment is extended to December 13, 2016.
4. The Trial of this matter previously set for August 3, 2016, and subsequently adjourned by the Court to allow the Trustee to file a summary judgment motion, shall be further adjourned to give the parties the opportunity to fully resolve the dispute.
5. Except as expressly set forth herein, the parties to this Stipulation reserve all rights and defenses they may have, and no rights or defenses are waived by entering into this Stipulation.

6. This Stipulation may be signed by the parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

Dated: August 12, 2016  
New York, New York

**BAKER & HOSTETLER LLP**

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Trustee for the liquidation of Bernard L.  
Madoff Investment Securities LLC and the  
consolidated estate of Bernard L. Madoff*

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Revocable Trust dtd 6/29/05, Joyce Auerbach  
Revocable Trust 6/29/05, and Joyce C.  
Auerbach, individually, as Trustee of the  
Robert Auerbach Revocable Trust dtd 6/29/05,  
as Trustee of the Joyce Auerbach Revocable  
Trust 6/29/05, and as Personal Representative  
of the Estate of Robert Auerbach*

**SO ORDERED**

Dated: August 15<sup>th</sup>, 2016  
New York, New York

/s/ STUART M. BERNSTEIN  
**HON. STUART M. BERNSTEIN**  
**UNITED STATES BANKRUPTCY JUDGE**